

telecommunications and information policy;

- developing and presenting U.S. plans and policies at international communications conferences and related meetings;

- prescribing policies for and managing Federal use of the radio frequency spectrum, in accordance with Executive Order 12046, issued under section 305 of the Communications Act of 1934, as amended (47 U.S.C. 305);

- serving as the principal Federal telecommunications research and engineering laboratory, through NTIA's Institute for Telecommunication Sciences (ITS), headquartered in Boulder, Colorado;

- providing grants through the Telecommunications and Information Infrastructure Assistance Program for planning and demonstration projects to promote the goals of the development and widespread availability of advanced telecommunications technologies, to

enhance the delivery of social services and generally serve the public interest, to promote access to government information and increase civic participation, and to support the development of an advanced nationwide telecommunications and information infrastructure;

- providing grants through the Public Telecommunications Facilities Program to extend delivery of public telecommunications services to U.S. citizens, to increase ownership and management by women and minorities, and to strengthen the capabilities of existing public broadcasting stations to provide telecommunications services; and

- monitoring grants awarded through the National Endowment for Children's Educational Television to enhance the creation and production of educational television programming for children to develop fundamental intellectual skills.

For further information, contact the National Telecommunications and Information Administration, Department of Commerce, Washington, DC 20230. Phone, 202-482-1551.

Patent and Trademark Office

[For the Patent and Trademark Office statement of organization, see the *Federal Register* of Apr. 14, 1975, 40 FR 16707]

The patent system was established by Congress “. . . to promote the progress of . . . the useful arts. . .” under Article I, section 8, U.S. Constitution (title 35, United States Code: Patents). The registration of trademarks is based on the commerce clause of the U.S. Constitution (title 15, United States Code, chapter 22: Trademarks). The Patent and Trademark Office (PTO) grants patents and registers trademarks to qualified applicants.

The Office examines applications for patents to determine if the applicants are entitled to patents under the law and grants the patents when they are so entitled. The patent law provides for the granting of patents in three major categories: utility patents, design patents,

and plant patents. The term of a design patent is 14 years from the date of grant. The term of utility and plant patents is 20 years measured from the earliest effective U.S. filing date, if the application for patent was filed on or after June 8, 1995. For utility or plant patents that were in force on June 8, 1995, or that result from an application filed prior to June 8, 1995, the term shall be the longer of 17 years measured from the date of grant or 20 years measured from the earliest effective U.S. filing date.

All utility patents are subject to the payment of maintenance fees. Effective June 8, 1995, applicants may file provisional applications for patents in the PTO. Provisional applications are available for utility and plant inventions but not design inventions. Provisional applications are not examined and will

become abandoned by operation of law within one year of the filing date of the provisional application. The provisional application itself cannot mature into a patent. However, if applicants wish to obtain a patent on the invention disclosed in a provisional application, applicants must file a nonprovisional application not later than 12 months from the filing date of the provisional application.

The Office also issues Statutory Invention Registrations, which have the defensive but not the enforceable attributes of a patent. It also processes international applications for patents under the provisions of the Patent Cooperation Treaty as an International Searching Authority under Chapter I of the Treaty and as an International Preliminary Examining Authority under Chapter II of the Treaty.

Over 114,500 patents providing inventors with exclusive rights were issued for the fiscal year of 1995. Effective January 1, 1996, patentees have the right to exclude others from making, using, offering for sale, or selling the invention throughout the U.S. or importing the invention into the U.S. during the term of their patent. Patents and trademarks may be reviewed and searched in the PTO and in over 78 patent and trademark depository libraries throughout the country. The patent system fosters innovation, investment in developing and marketing inventions, and prompt disclosure of technological information.

About 67,000 trademarks were registered for fiscal year 1995, and 6,785 trademark registrations were renewed. A trademark includes any distinctive word,

name, symbol, device, or any combination thereof adopted and used, or intended to be used, by a manufacturer or merchant to identify his goods or services and distinguish them from those manufactured or sold by others. Trademarks, registered for 10 years, with renewal rights of equal term, are examined by the Office for compliance with various statutory requirements to prevent unfair competition and consumer deception.

In addition to the examination of patent and trademark applications, issuance of patents, and registration of trademarks, the Patent and Trademark Office:

- sells printed copies of issued patents and trademark registrations;
- records and indexes documents transferring ownership;
- maintains a scientific library and search files containing over 30 million documents, including U.S. and foreign patents and U.S. trademarks;
- provides search rooms for the public to research their applications;
- hears and decides appeals from prospective inventors and trademark applicants;
- participates in legal proceedings involving the issue of patents or registration of trademarks;
- advocates strengthening intellectual property protection worldwide;
- compiles the *Official Gazettes*, a weekly notice of patents issued and trademarks registered by the Office, including other information; and
- maintains a roster of patent agents and attorneys qualified and recognized to practice before the Office.

For further information, contact the Office of Public Affairs, Patent and Trademark Office, Washington, DC 20231. Phone, 703-305-8341. The Office's operations are located at 2121 Crystal Drive, Arlington, VA 22202.

Technology Administration

The Technology Administration was established by Congress in 1988 (15 U.S.C. 3704) and consists of the Office

of Technology Policy (OTP), the National Institute of Standards and Technology (NIST), and the National